

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STEPHEN BRENT MICHEL,

Plaintiff,

v.

CHERI BRAZWELL; and SCOTT  
BRAZWELL,

Defendants.

C22-5286 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) No jury demand having been timely filed, see Fed. R. Civ. P. 38(b), and the remaining claims in this matter being equitable in nature and therefore appropriately tried to the bench,<sup>1</sup> the Court hereby AMENDS the Minute Order Setting Trial Date and Related Dates, docket no. 40, as follows:

<b>BENCH TRIAL DATE (4 days)</b>	<b>March 17, 2025</b>
Discovery motions filing deadline	October 17, 2024
Discovery completion date	November 25, 2024

<sup>1</sup> See Michel v. Brazwell, No. 23-35053, 2023 WL 6532646, at \*1 (9th Cir. Oct. 6, 2023) (“The doctrines of promissory estoppel and implied or constructive trust are equitable in nature . . . .”); see also Am. Universal Ins. Co. v. Pugh, 821 F.2d 1352, 1356 (9th Cir. 1987) (“The imposition of a constructive trust is purely an equitable remedy and equitable remedies are not triable of right by a jury”).

Dispositive motions filing deadline	December 26, 2024
Deadline for filing motions related to expert testimony ( <i>e.g.</i> , Daubert motions)	January 2, 2025
Deadline for completing mediation pursuant to Local Civil Rule 39.1(c)	January 31, 2025
Agreed Pretrial Order due	February 28, 2025
Trial briefs due	February 28, 2025
Proposed findings of fact and conclusions of law and deposition testimony designations due	February 28, 2025
Pretrial conference scheduled for	March 7, 2025 at 10:00 a.m.

(2) The deadlines for joining additional parties, amending pleadings, and disclosing expert testimony have already expired. The deadline for filing motions in limine has been stricken, and any evidentiary issues that the parties wish to bring to the Court's attention in advance of trial should be discussed in their respective trial briefs.

(3) Motions shall be noted and briefed in accordance with the current version of Local Civil Rule 7. The parties may not refile already-filed motions without leave of the Court.

(4) The provisions of the Minute Order Setting Trial and Related Dates, docket no. 40, concerning any alteration of the case schedule and the need for counsel to be prepared to commence trial on the date set, the agreed Pretrial Order and the form of the exhibit list to be included therein, the numbering of trial exhibits, and immediate communication to the Court of any settlement, remain in full force and effect.

(5) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 27th day of August, 2024.

Ravi Subramanian  
Clerk

s/Laurie Cuaresma  
Deputy Clerk